

CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 CFR 1.8)Applicant(s): **Robb et al.**

Docket No.

Implex-18

Application No.

10/015,365

Filing Date

12/13/2001

Examiner

Candice C. Melson

Customer No.

28581

Group Art Unit

3732

Invention:

INSTRUMENT AND SYSTEM FOR PREPARING THE DISC SPACE BETWEEN TWO VERTEBRAL BODIES


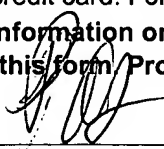
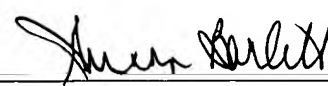
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is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on 2/25/2005
(Date)

Susan Barlett

(Typed or Printed Name of Person Mailing Correspondence)


(Signature of Person Mailing Correspondence)**Note: Each paper must have its own certificate of mailing.**

 AMENDMENT TRANSMITTAL LETTER (Small Entity) Application No. 10/015,365 Robie, et al.				Docket No. Implex-18	
Application No. 10/015,365	Filing Date 12/13/2001	Examiner Candice C. Melson	Customer No. 28581	Group Art Unit 3732	Confirmation No. 2786
Invention: INSTRUMENT AND SYSTEM FOR PREPARING THE DISC SPACE BETWEEN TWO VERTEBRAL BODIES					
<u>COMMISSIONER FOR PATENTS:</u> Transmitted herewith is an amendment in the above-identified application. <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27 The fee has been calculated and is transmitted as shown below.					
CLAIMS AS AMENDED					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	34 -	46 =	0	x \$25.00	\$0.00
INDEP. CLAIMS	6 -	6 =	0	x \$100.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00
<input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-2061 <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
 _____ <i>Signature</i>			Dated: 2/25/2005		
Paul A. Schwarz Reg. No. 37,577 Duane Morris LLP P.O. Box 5203 Princeton, NJ 08543-5203 609-631-2446			I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____ 2/25/2005 (Date)  _____ <i>Signature of Person Mailing Correspondence</i> Susan Barlett _____ <i>Typed or Printed Name of Person Mailing Correspondence</i>		
CC:					



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AF/ 3732
Attorney Docket No. Implex-18
REPLY UNDER 37 CFR 1.116
EXPEDITED PROCEDURE
ART UNIT 3732

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Patent Application of:	:	Group Art Unit: 3732
Robie, et al.	:	
Serial No.: 10/015,365	:	Examiner: Melson, Candice C.
Filing Date: December 13, 2001	:	Atty Dkt.: Implex-18
For: Instrument and System for	:	Date: February 25, 2005
Preparing the Disc Space	:	
Between Two Vertebral Bodies	:	

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Alexandria, Va. 22313-1450

**AMENDMENT AND RESPONSE AFTER FINAL REJECTION
UNDER 37 CFR 1.116-EXPEDITED PROCEDURE**

Dear Sir:

This paper is responsive to the Office Action dated December 29, 2004. Kindly enter the following amendments:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 11 of this paper.